

FILED BY *[Signature]*
 IN THE UNITED STATES DISTRICT COURT
 FOR THE WESTERN DISTRICT OF TENNESSEE
 05 AUG 25 AM 11:38
 WESTERN DIVISION

FILED BY *[Signature]*
 2005 AUG 23 PM 12:39

THOMAS M. GOULD
 CLERK, U.S. DISTRICT COURT
 W/D OF TN, MEMPHIS

THOMAS M. GOULD
 CLERK, U.S. DISTRICT COURT
 W/D OF TN, MEMPHIS

vs.

ROBERT KIMBREL,
 Defendant.

CR NO. 03-20336-KH
 MOTION GRANTED

JON PHIPPS MCGILL
 U.S. DISTRICT JUDGE

[Signature]
 Aug 24, 2005
 DATE

MOTION TO EXTEND TIME FOR DEFENDANT TO FILE
 MEMORANDUM OF LAW

Comes now Robert Kimbrel, Defendant, by and through his counsel, Robert C. Irby, and respectfully moves the Court for an extension of the time in which the Defendant is required to file his memorandum of law, following the suppression motion hearing, and in support of which would show unto the Court the following:

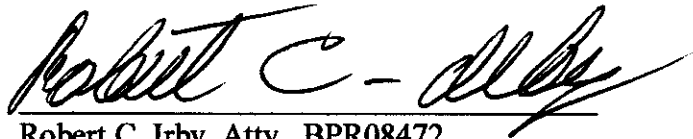
1. The Defendant is supposed to file his memorandum of law, briefing the issues raised in the suppression motion hearing previously heard by the Court, within fourteen days after receipt of the transcript of the suppression motion hearing;
2. Defendant respectfully requests the Court for an additional one week in order to file his memorandum of law, on the basis that the issues are important and your Defendant needs to carefully consider his response on those issues;
3. Further, your Defendant would like the extra time, also, to carefully consider whether or not the indictment of Charles Smith, a police officer who was involved in the March 29, 2003, stop and arrest of your Defendant, may have any impact which should be raised while the Court is considering these suppression motion

99

issues in this cause;

WHEREFORE, Defendant respectfully prays the Court for an additional seven days in which to file his brief on the suppression motion hearing issues.

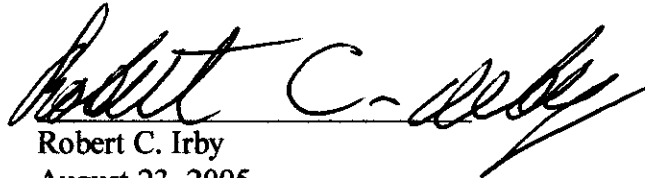
Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Robert C. Irby", written over a horizontal line.

Robert C. Irby, Atty., BPR08472
4345 Mallory Ave. East
Memphis, Tennessee 38111
682-7775
August 23, 2005

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion will have been delivered to the intake window at the office of Mr. David Prichard, Esq., AUSA, 167 No. Main St., 8th Floor, Memphis, Tennessee 38103, by hand, before the Court sees it.

A handwritten signature in black ink, appearing to read "Robert C. Irby", written over a horizontal line.

Robert C. Irby
August 23, 2005



Notice of Distribution

This notice confirms a copy of the document docketed as number 99 in case 2:03-CR-20336 was distributed by fax, mail, or direct printing on August 25, 2005 to the parties listed.

Robert C. Irby
LAW OFFICE OF ROBERT C. IRBY
4345 E. Mallory
Memphis, TN 38111

David Pritchard
U.S. ATTORNEY'S OFFICE
167 N. Main St.
Ste. 800
Memphis, TN 38103

Honorable Jon McCalla
US DISTRICT COURT